

PACER fee: Exempt

General Docket
United States Court of Appeals for the Federal Circuit

Court of Appeals Docket #: 21-2293
Nature of Suit: 440 Other Civil Rights (Fed. Question)
 Arroyo v. Southwood Realty Company
Appeal From: United States District Court for the Middle District of North Carolina
Fee Status: In Forma Pauperis

Docketed: 09/09/2021
Termed: 02/16/2022

Case Type Information:

- 1) Civil Private
- 2) -
- 3) -

Originating Court Information:

District: 0418-1 : [1:21-cv-00219-CCE-JEP](#)
Trial Judge: Catherine C. Eagles, Judge
Date Filed: 03/18/2021
Date NOA Filed:
 08/10/2021

Date Rec'd COA:
 09/02/2021

Prior Cases:

None

Current Cases:

None

VALERIE ARROYO
 Plaintiff - Appellant

Valerie Arroyo, -
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DEREK OLIVARIA
 Plaintiff - Appellant

Derek Olivaria, -
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v.

SOUTHWOOD REALTY COMPANY, in its official capacity
 Defendant - Appellee

HERMAN RATCHFORD, JR., in his official and personal capacities
 Defendant - Appellee

DAN W. RATCHFORD, in his official and personal capacities
 Defendant - Appellee

TRIANGLE CLOISTER OF CONCORD, in its official capacity, dba
 Cloister of Concord, Inc.
 Defendant - Appellee

LUZ GORDON, in her official and personal capacities
 Defendant - Appellee

JARED M. SCHMIDT, in his official and personal capacities
 Defendant - Appellee

LOEBSACK & BROWNLEE, PLLC, in its official capacity
 Defendant - Appellee

CHRISTOPHER M. VANN, in his official and personal capacities

Defendant - Appellee

VANN LAW FIRM, PA, in its personal and official capacities
Defendant - Appellee

COLLEEN P. BROOME, in her official and personal capacities
Defendant - Appellee

CABARRUS COUNTY DISTRICT COURT OF THE
ADMINISTRATION, in its official and personal capacities
Defendant - Appellee

PATRICIA R. HOSKIN, in her official and personal capacities
Defendant - Appellee

ELIZABETH THOMAS, in her official and personal capacities
Defendant - Appellee

PATRICK A. JOHNSON, in his official and personal capacities
Defendant - Appellee

BROWNLEE, WHITLOW & PRAET, PLLC, in its official capacity
Defendant - Appellee

N.C. STATE BAR, in its official capacity
Defendant - Appellee

SHAWN MORRIS, in his personal and official capacities
Defendant - Appellee

CITY OF CONCORD, in its official capacity
Defendant - Appellee

CABARRUS COUNTY BOARD OF COMMISSIONER, in its official
capacity
Defendant - Appellee

CITY COUNCIL OF CONCORD BOARD, in its official capacity
Defendant - Appellee

N.C. INDUSTRIAL COMMISSION, in its official capacity
Defendant - Appellee

N.C. STATE ATTORNEY GENERAL OFFICE, in its official capacity
Defendant - Appellee

JOSH STEIN, in his official and personal capacities
Defendant - Appellee

DEPARTMENT OF JUSTICE, in its official capacity
Defendant - Appellee

CABARRUS COUNTY SUPERIOR COURT OF
ADMINISTRATION, in its official capacity
Defendant - Appellee

CONCORD & KANNAPOLIS INDEPENDENT TRIBUNE, in its
official capacity
Defendant - Appellee



VALERIE ARROYO, DEREK OLIVARIA,

Plaintiffs - Appellants

v.

SOUTHWOOD REALTY COMPANY, in its official capacity, HERMAN RATCHFORD, JR., in his official and personal capacities, DAN W. RATCHFORD, in his official and personal capacities, TRIANGLE CLOISTER OF CONCORD, in its official capacity, dba Cloister of Concord, Inc., LUZ GORDON, in her official and personal capacities, JARED M. SCHMIDT, in his official and personal capacities, LOEBSACK & BROWNLEE, PLLC, in its official capacity, CHRISTOPHER M. VANN, in his official and personal capacities, VANN LAW FIRM, PA, in its personal and official capacities, COLLEEN P. BROOME, in her official and personal capacities, CABARRUS COUNTY DISTRICT COURT OF THE ADMINISTRATION, in its official and personal capacities, PATRICIA R. HOSKIN, in her official and personal capacities, ELIZABETH THOMAS, in her official and personal capacities, PATRICK A. JOHNSON, in his official and personal capacities, BROWNLEE, WHITLOW & PRAET, PLLC, in its official capacity, N.C. STATE BAR, in its official capacity, SHAWN MORRIS, in his personal and official capacities, CITY OF CONCORD, in its official capacity, CABARRUS COUNTY BOARD OF COMMISSIONER, in its official capacity, CITY COUNCIL OF CONCORD BOARD, in its official capacity, N.C. INDUSTRIAL COMMISSION, in its official capacity, N.C. STATE ATTORNEY GENERAL OFFICE, in its official capacity, JOSH STEIN, in his official and personal capacities, DEPARTMENT OF JUSTICE, in its official capacity, CABARRUS COUNTY SUPERIOR COURT OF ADMINISTRATION, in its official capacity, CONCORD & KANNAPOLIS INDEPENDENT TRIBUNE, in its official capacity,

Defendants - Appellees

09/09/2021	<input type="checkbox"/> 1 25 pg, 2.25 MB	Appeal docketed. Received: 09/02/2021. [798028] Entry of Appearance due 09/23/2021. Appellants' Informal brief is due 10/04/2021. [MMA] [Entered: 09/09/2021 11:52 AM]
09/10/2021	<input type="checkbox"/> 2 3 pg, 740.54 KB	Notice of Unrepresented Person Appearance and consent to Electronic Service for Appellant Valerie Arroyo. Service: 09/10/2021 by clerk. [798564] [JCP] [Entered: 09/10/2021 05:26 PM]
09/10/2021	<input type="checkbox"/> 3 3 pg, 498.46 KB	Notice of Unrepresented Person Appearance and consent to Electronic Service for Appellant Derek Olivaria. Service: 09/10/2021 by clerk. [798565] [JCP] [Entered: 09/10/2021 05:27 PM]
09/10/2021	<input type="checkbox"/> 4 3 pg, 425.4 KB	Docketing Statement for the Appellants Valerie Arroyo and Derek Olivaria. Service: 09/10/2021 by clerk. [798567] [JCP] [Entered: 09/10/2021 05:27 PM]
09/10/2021	<input type="checkbox"/> 5  0 pg, 0 KB	MOTION of Appellant Valerie Arroyo for leave to proceed in Forma Pauperis. Service: 09/10/2021 by clerk. [798568] [JCP] [Entered: 09/10/2021 05:28 PM]
09/10/2021	<input type="checkbox"/> 6  0 pg, 0 KB	MOTION of Appellant Derek Olivaria for leave to proceed in Forma Pauperis. Service: 09/10/2021 by clerk. [798569] [JCP] [Entered: 09/10/2021 05:29 PM]
09/10/2021	<input type="checkbox"/> 7 19 pg, 1.26 MB	Paper document received from Valerie Arroyo and Derek Olivaria. [798570] This document is non-compliant. See Doc No. 8 [JCP] [Entered: 09/10/2021 05:30 PM]
09/13/2021	<input type="checkbox"/> 8 1 pg, 120.55 KB	NOTICE OF NON-COMPLIANCE: The submission of Appellants Valerie Arroyo and Derek Olivaria, Paper Document 7 , is not in compliance with the rules of this court (see attached). Compliant document due on 09/27/2021. Service as of this date by the Clerk of Court. [798741] [MMA] [Entered: 09/13/2021 11:58 AM]
09/20/2021	<input type="checkbox"/> 9 3 pg, 463 KB	Paper document received from Valerie Arroyo and Derek Olivaria. [800668] This document is non-compliant. See Doc No. 11 [JCP] [Entered: 09/21/2021 08:57 AM]
09/29/2021	<input type="checkbox"/> 10 22 pg, 1.9 MB	MODIFIED ENTRY: INFORMAL BRIEF FILED with APPENDIX by Appellants Valerie Arroyo and Derek Olivaria. Service: 09/29/2021 by clerk. Unless ordered otherwise, any responsive deadline runs from the date of service of this brief. See Fed. Cir. R. 31. [802669]--[Edited 10/04/2021 by MMA - Reason: compliance review complete] [JCP] [Entered: 09/29/2021 04:19 PM]
10/04/2021	<input type="checkbox"/> 11 1 pg, 120.47 KB	NOTICE OF NON-COMPLIANCE: The submission of Appellants Valerie Arroyo and Derek Olivaria, Paper Document 9 , is not in compliance with the rules of this court (see attached). Compliant document due on 10/18/2021. Service as of this date by the Clerk of Court. [803430] [MMA] [Entered: 10/04/2021 02:47 PM]
10/12/2021	<input type="checkbox"/> 12 14 pg, 1.14 MB	CORRECTED INFORMAL OPENING BRIEF FILED by Appellants Valerie Arroyo and Derek Olivaria. Service: 10/13/2021 by clerk. [805457] [JCP] [Entered: 10/13/2021 04:09 PM]
11/03/2021	<input type="checkbox"/> 13 3 pg, 86.75 KB	ORDER filed holding in abeyance motion for leave to proceed in forma pauperis 5 filed by Appellant Valerie Arroyo, holding in abeyance motion for leave to proceed in forma pauperis 6 filed by Appellant Derek Olivaria; The briefing schedule is stayed. Within 30 days of the date of filing of this order, the parties are directed to show cause why this case should not be transferred to the United States Court of Appeals for the Fourth Circuit or dismissed. (Per Curiam). Service as of this date by the Clerk of Court. [809861] [LMS] [Entered: 11/03/2021 09:24 AM]
11/12/2021	<input type="checkbox"/> 14 6 pg, 589.78 KB	MODIFIED ENTRY: RESPONSE of Appellants Valerie Arroyo and Derek Olivaria to Doc. No. 13 . Service: 11/17/2021 by clerk. [812920]--[Edited 11/19/2021 by MMA] [JCP] [Entered: 11/17/2021 08:19 AM]
11/12/2021	<input type="checkbox"/> 15 4 pg, 619.54 KB	MODIFIED ENTRY: MOTION of Appellants Valerie Arroyo and Derek Olivaria reissue order 13 as precedential. Service: 11/17/2021 by clerk. [812921]--[Edited 11/19/2021 by MMA] [JCP] [Entered: 11/17/2021 08:20 AM]
11/12/2021	<input type="checkbox"/> 16 6 pg, 720.9 KB	MODIFIED ENTRY: MOTION of Appellants Valerie Arroyo and Derek Olivaria for appeal conference. Service: 11/17/2021 by clerk. [812922]--[Edited 11/19/2021 by MMA] [JCP] [Entered: 11/17/2021 08:20 AM]
12/21/2021	<input type="checkbox"/> 17 3 pg, 79.07 KB	ORDER filed denying 15 motion filed by Valerie Arroyo and Derek Olivaria. (Per Curiam). Service as of this date by the Clerk of Court. [820153] [NL] [Entered: 12/21/2021 10:23 AM]
12/29/2021	<input type="checkbox"/> 18 5 pg, 552.43 KB	MODIFIED ENTRY: MOTION of Appellants Valerie Arroyo and Derek Olivaria to reconsider Doc. No. 17 . Service: 12/30/2021 by clerk. [821905]--[Edited 01/10/2022 by MMA] [JCP] [Entered: 12/30/2021 07:25 AM]
12/29/2021	<input type="checkbox"/> 19 7 pg, 772.07 KB	MOTION of Appellants Valerie Arroyo and Derek Olivaria for en banc review. [821906]--[Edited 02/16/2022 by MMA] [JCP] [Entered: 12/30/2021 07:26 AM]
02/16/2022	<input type="checkbox"/> 20 3 pg, 88.43 KB	ORDER filed denying 16 ECF No. 16. Pursuant to 28 U.S.C. § 1631, this appeal and all filings are transferred to the United States Court of Appeals for the Fourth Circuit. (Per Curiam). Service as of this date by the Clerk of Court. [831534] [LMS] [Entered: 02/16/2022 09:15 AM]
02/16/2022	<input type="checkbox"/> 21 139 pg, 11.67 MB	Clerk's Letter to the United States Court of Appeals for the Fourth Circuit: Transfer Letter. Service as of this date by the Clerk of Court. [831642] [MMA] [Entered: 02/16/2022 01:12 PM]

☒ **Documents and Docket Summary**☐ **Documents Only**☒ **Include Page Numbers**Selected Pages: Selected Size: **Totals reflect accessible documents only and do not include unauthorized restricted documents.**